

Assembly Bill No. 206

Passed the Assembly August 28, 1997

Chief Clerk of the Assembly

Passed the Senate August 8, 1997

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to add Chapter 5.1 (commencing with Section 8330) to Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 206, Hertzberg. Citizen Complaint Act of 1997.

Existing law provides for the establishment and operation of state agencies.

This bill would require state agencies, including the California State University, to make available on their Internet websites, on or before July 1, 1998, or within 6 months of the establishment of such a site, whichever is later, a plain language form through which individuals can register complaints or comments relating to the performance of that state agency. This bill would require state agencies making a complaint form available on their Internet websites, to the extent feasible, to advise individuals calling to lodge a complaint of specified information and to include their Internet website address in the telephone directory. This bill would also authorize public libraries, to the extent permitted through donations and other means, to provide Internet access to their patrons and to advertise that they provide Internet access. These provisions would be known as the Citizen Complaint Act of 1997. This bill would require all state agencies that have Internet websites to implement these provisions in a manner that is consistent with the statewide strategy for electronic commerce as established by the Department of Information Technology.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.1 (commencing with Section 8330) is added to Division 1 of Title 2 of the Government Code, to read:



CHAPTER 5.1. CITIZEN COMPLAINT ACT OF 1997

8330. This chapter shall be known and may be cited as the Citizen Complaint Act of 1997. All state agencies that have Internet websites shall implement this act in a manner that is consistent with the statewide strategy for electronic commerce as established by the Department of Information Technology.

8331. (a) State agencies shall make available on their Internet websites, on or before July 1, 1998, or within six months of the establishment of such a site, whichever is later, a plain-language form through which individuals can register complaints or comments relating to the performance of that agency. The Internet website shall provide instructions on filing the complaint electronically, or on the manner in which to download, complete, and mail the complaint form to the state agency, or both, consistent with whichever method the agency establishes for the filing of complaints.

(b) Any printed complaint form used by a state agency as part of the process of receiving a complaint against any licensed individual or corporation subject to regulation by that agency shall make the form available on its Internet website, on or before July 1, 1998, or within six months of the establishment of such a site, whichever is later. The Internet website shall provide instructions on filing the complaint electronically, or on the manner in which to download, complete, and mail the complaint form to the state agency, or both, consistent with whichever method the agency establishes for the filing of complaints.

(c) State agencies making a complaint form available on their Internet website shall, to the extent feasible:

(1) Advise individuals calling the state agency to lodge a complaint of both of the following:

(A) The availability of the complaint form on the Internet website.

(B) That many public libraries provide Internet access.



(2) Include their Internet website address in the telephone directory in order that citizens will be aware that they may contact the state agency via the Internet or by telephone.

(d) Public libraries, to the extent permitted through donations and other means, may do each of the following:

(1) Provide Internet access to their patrons.

(2) Advertise that they provide Internet access.

(e) Notwithstanding subdivision (a) of Section 11000, state agency as used in this section includes the California State University.

8332. It is the intent of the Legislature that this chapter shall not apply to the Reporting of Improper Governmental Activities Act (Article 3 (commencing with Section 8547) of Chapter 6.5) or the procedures established to investigate citizens' complaints against peace officers as required by Section 832.5 of the Penal Code.



Approved _____, 1997

Governor

